

12-11-00

12/08/00

jc975 U.S. PTO

PTO
S.N. 699999
09/733302

00/00/21

UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional
applications under 37 C.F.R. §
1.53(b))

Attorney Docket No.

MP-00101.P.1.2

First Inventor or
Application Identifier

Steven R. Cohen

Title

Partially Resorbable Connective Tissue
Distraction Devices and Techniques

Express Mail Label No.

EL648660202US

APPLICATION ELEMENTS
See MPEP chapter 600 concerning utility
patent application contents

ADDRESS TO: Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

1. ☒ * Fee Transmittal Form (e.g. PTO/SB/17)
(Submit an original and a duplicate for fee processing)
2. ☒ Specification [Total Pages 63]
3. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 15]

4. Oath or Declaration

- a. ☒ Newly executed (original or copy)
- b. ☐ Copy from a prior application (37 C.F.R. § 1.63(d))
(For continuation/divisional with Box 16 completed)
- i. ☐ **DELETION OF INVENTOR(S)**

Signed statement attached deleting inventor(s) named in the prior application
See 37 C.F.R. §§ 1.63(d)(2) and 1.33(b).

***NOTE FOR ITEMS 1 & 13: IN ORDER TO BE ENTITLED TO PAY SMALL ENTITY FEES, A SMALL
ENTITY STATEMENT IS REQUIRED (37 C.F.R. § 1.27); EXCEPT IF ONE FILED IN A PRIOR
APPLICATION IS RELIED UPON (37 C.F.R. § 1.28).**

5. ☐ Microfiche Computer Program (Appendix)
6. Nucleotide and/or Amino Acid Sequence Submission
(If applicable, all necessary)
 - a. ☐ Computer Readable Copy
 - b. ☐ Paper Copy (identical to computer copy)
 - c. ☐ Statement verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

09/733302, 120800

000001 200002/00

7. ☒ Assignment Papers (cover sheet & documents(s))
8. ☐ 37 C.F.R. § 3.73(b) Statement
(when there is an assignee)
☐ Power of Attorney
9. ☐ English Translation Document (if applicable)
10. ☐ Information Disclosure Statement (IDS)/PTO-1449
☐ Copies of IDS Citations
11. ☒ Preliminary Amendment
12. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
13. ☒ * Small Entity Statement(s) (PTO/SB/09-12)
☐ Statement filed in prior application. Status still proper and desired
14. ☐ Certified Copy of Priority Document(s)
(If foreign priority is claimed)
15. ☒ Other: Certificate of Mailing by Express Mail


16. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) Of prior application No: _____
Prior application Information: Examiner _____ Group Art Unit _____

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 4b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion as been inadvertently omitted from the submitted application parts.

17. CORRESPONDENCE INFORMATION

☒ Customer Number 24232 or
Bar Code Label [] or
☐ Correspondence address below

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Country		USA	
Telephone		858.450.1388	
Facsimile		858.450.2188	
Name	David R. Preston	Registration Number	38,710
Signature		Date	12/5/00

Corresponds to PTO/SB/05

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fax: 858.450.2188

Box Provisional Patent Application

"Express Mail" Mailing Label Number: EL648660202US

Date of Deposit: December 8, 2000

Assistant Commissioner for Patents
Washington DC 20231

Re: Utility Patent Application
Appl. No.: To be determined
Filed: Herewith
Inventor: Cohen et al.
Our Ref.: MP-00101.P.1.2

Sir:

The following documents are forwarded herewith for appropriate action by the United States Patent and Trademark Office:

1. Utility Patent Application Transmittal (in duplicate);
2. Fee Transmittal (in duplicate);

3. Complete Utility Patent Application entitled:

Partially Resorbable Connective Tissue Distraction Devices and Techniques

and naming as inventors

Steven R. Cohen
Ralph E. Holmes
J. Peter Amis
Horst R. Fichtner
Stefan Lemperle

the application comprising:

- a) Total pages of application: [63];
- b) Pages of specification: [41];
- c) Pages of Figures: [15]; Number of Figures: [5];
- d) Pages of Title Page: [1];
- e) Pages of claims: [5]; [41] claims; and
- f) Pages of Abstract: [1].

- 4. Assertion of Small Entity Status -- Small Business
- 5. Declaration for Utility Application;
- 6. Assignment Recordation;
- 7. Assignment;
- 8. Preliminary Amendment;
- 9. Return Post Card; and
- 10. Our Check Number 571 for \$ 355.00.

It is respectfully requested that the attached postcard be stamped with the filing date and unofficial application number and returned as soon as possible.

[illegible]

Please send all correspondence and direct all telephone calls to:

Respectfully Submitted,
DAVID R. PRESTON & ASSOCIATES

David R. Johnson

David R. Preston
Attorney for Applicant
Registration No. 38,710

	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037	2038	2039	2040	2041	2042	2043	2044	2045	2046	2047	2048	2049	2050	2051	2052	2053	2054	2055	2056	2057	2058	2059	2060	2061	2062	2063	2064	2065	2066	2067	2068	2069	2070	2071	2072	2073	2074	2075	2076	2077	2078	2079	2080	2081	2082	2083	2084	2085	2086	2087	2088	2089	2090	2091	2092	2093	2094	2095	2096	2097	2098	2099	2100	2101	2102	2103	2104	2105	2106	2107	2108	2109	2110	2111	2112	2113	2114	2115	2116	2117	2118	2119	2120	2121	2122	2123	2124	2125	2126	2127	2128	2129	2130	2131	2132	2133	2134	2135	2136	2137	2138	2139	2140	2141	2142	2143	2144	2145	2146	2147	2148	2149	2150	2151	2152	2153	2154	2155	2156	2157	2158	2159	2160	2161	2162	2163	2164	2165	2166	2167	2168	2169	2170	2171	2172	2173	2174	2175	2176	2177	2178	2179	2180	2181	2182	2183	2184	2185	2186	2187	2188	2189	2190	2191	2192	2193	2194	2195	2196	2197	2198	2199	2200	2201	2202	2203	2204	2205	2206	2207	2208	2209	2210	2211	2212	2213	2214	2215	2216	2217	2218	2219	2220	2221	2222	2223	2224	2225	2226	2227	2228	2229	2230	2231	2232	2233	2234	2235	2236	2237	2238	2239	2240	2241	2242	2243	2244	2245	2246	2247	2248	2249	2250	2251	2252	2253	2254	2255	2256	2257	2258	2259	2260	2261	2262	2263	2264	2265	2266	2267	2268	2269	2270	2271	2272	2273	2274	2275	2276	2277	2278	2279	2280	2281	2282	2283	2284	2285	2286	2287	2288	2289	2290	2291	2292	2293	2294	2295	2296	2297	2298	2299	2300	2301	2302	2303	2304	2305	2306	2307	2308	2309	2310	2311	2312	2313	2314	2315	2316	2317	2318	2319	2320	2321	2322	2323	2324	2325	2326	2327	2328	2329	2330	2331	2332	2333	2334	2335	2336	2337	2338	2339	2340	2341	2342	2343	2344	2345	2346	2347	2348	2349	2350	2351	2352	2353	2354	2355	2356	2357	2358	2359	2360	2361	2362	2363	2364	2365	2366	2367	2368	2369	2370	2371	2372	2373	2374	2375	2376	2377	2378	2379	2380	2381	2382	2383	2384	2385	2386	2387	2388	2389	2390	2391	2392	2393	2394	2395	2396	2397	2398	2399	2400	2401	2402	2403	2404	2405	2406	2407	2408	2409	2410	2411	2412	2413	2414	2415	2416	2417	2418	2419	2420	2421	2422	2423	2424	2425	2426	2427	2428	2429	2430	2431	2432	2433	2434	2435	2436	2437	2438	2439	2440	2441	2442	2
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<p align="center">FEE TRANSMITTAL</p> <p>Patent fees are subject to annual revision on October 1. These are the fees effective October 1, 1997. Small Entity payments <u>must</u> be supported by a small entity statement, otherwise large entity fees must be paid. See Forms PTO/SB/09-12. See 37 C.F.R. §§ 1.27 and 1.28.</p>		Complete if Known	
		Application Number:	To be determined
		Filing Date:	Herewith
		First Named Inventor:	Steven R. Cohen
		Group / Art Unit:	To be determined
Total Amount of Payment	\$ 503.00	Docket Number:	MP-00101.P.1.2

METHOD OF PAYMENT	
1. <input type="checkbox"/>	The Commissioner is hereby authorized to charge indicated fees and credit any over payments to: Deposit Account Number: <input type="text"/> Deposit Account Name: <input type="text"/> <input type="checkbox"/> Charge Any Additional Fee Required Under 37 C.F.R. §§ 1.16 and 1.17 <input type="checkbox"/> Charge the Issue Fee Set in 37 C.F.R. § 1.18 at the Mailing of the Notice of Allowance.
2. <input checked="" type="checkbox"/>	Payment Enclosed <input checked="" type="checkbox"/> Check Number <u>577</u> 577 <input type="checkbox"/> Money Order <input type="checkbox"/> Other

FEE CALCULATION						
1. BASIC FILING FEE						
	Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
	101		201	355	Utility Filing Fee	\$ 355.00
	106		206		Design Filing Fee	\$
	107		207		Plant Filing Fee	\$
	108		208		Reissue Filing Fee	\$
	114		214		Provisional Filing Fee	\$
	SUBTOTAL (1)					\$ 355.00

2. EXTRA CLAIM FEES								
				Extra Claims		Fee From Below		Fee Paid
Total Claims	[32]	-20 **	Equals	[12]	Times	[9.00]	Equals	\$ 108.00
Independent Claims	[2]	-3 **	Equals	[0]	Times	[40.00]	Equals	\$ 0.00
Subtotal (2)								\$ 108.00
** or number previously paid, if greater, For Reissues, see below								
	Large Entity		Small Entity		Fee Description			
	Fee Code	Fee (\$)	Fee Code	Fee (\$)				
	103		203	9.00	Claims in excess of 20			
	102		202		Independent claims in excess of 3			
	104		204		Multiple dependent claim, if not paid			
	109		209		** Reissue independent claims over original patent			
	110		210		** Reissue claims in excess of 20 and over original patent			

3. ADDITIONAL FEES					
Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
105		205		Surcharge - late filing fee or oath	\$
127		227		Surcharge - late provisional filing fee or cover sheet	\$
139		139		Non-English specification	\$
147		147		For filing a request for reexamination	\$
112		112		Requesting publication of SIR prior to Examiner action	\$
113		113		Requesting publication of SIR after Examiner action	\$
115		215		Extension for reply within first month	\$
116		216		Extension for reply within second month	\$
117		217		Extension for reply within third month	\$
118		218		Extension for reply within fourth month	\$
128		228		Extension for reply within fifth month	\$
119		219		Notice of Appeal	\$
120		220		Filing a brief in support of an appeal	\$
121		221		Request for oral hearing	\$
138		138		Petition to institute a public use proceeding	\$
140		240		Petition or revive - unavoidable	\$
141		241		Petition or revive - unintentional	\$
142		242		Utility issue fee (or reissue)	\$
143		243		Design issue fee	\$
144		244		Plant issue fee	\$
122		122		Petitions to the Commissioner	\$
123		123		Petitions related to provisional applications	\$
126		126		Submission of Information Disclosure Statement	\$
581		581	40.00	Recording each patent assignment per property	\$ 40.00
146		246		Filing a submission after final rejection (37 C.F.R. 1.129(a))	\$
149		249		For each additional invention to be examined (37 CFR 1.129(b))	\$
Other fee (specify):					\$
Subtotal (3)					\$ 40.00

